UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1995/127
7 February 1995

ORIGINAL : ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-first session
Items 24, 12 and 7 of the provisional agenda

RIGHTS OF THE CHILD

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING: PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

Letter dated 10 January 1995 from the Ambassador, Chargé d'affaires, a.i., of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to transmit herewith the Government of the Federal Republic of Yugoslavia on the necessity of adopting effective measures for the promotion and protection of the rights of children throughout the world who are victims of especially difficult circumstances, including armed conflict.

I should be grateful if you would circulate this letter and annex as an official document of the fifty-first session of the Commission on Human Rights, under agenda items 24, 12 and 7.

(Signed) Vladimir Pavićević

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Annex

1.The Government of the Federal Republic of Yugoslavia supports the decision that item 101 be considered at the forty-ninth session of the General Assembly. It is of the opinion that children who have been deprived of the fundamental rights guaranteed under the Convention on the Rights of the Child - the right to life, the highest levels of health care and a carefree childhood - be considered the victims of especially difficult circumstances.

2.This issue was raised by the Federal Republic of Yugoslavia in October 1993 before the Committee on the Rights of the Child as well as in the other United Nations forums.

3.Secession by some republics from the former Socialist Federal Republic of Yugoslavia, followed by the devastating effects of the war in its neighbourhood and coupled with Security Council sanctions, have rapidly and dramatically worsened the overall social and economic situation in the Federal Republic of Yugoslavia.

4.Consequently, the living standard of children in the Federal Republic of Yugoslavia has also deteriorated. Neither parents nor the State can provide adequate living conditions for the physical, mental, spiritual, moral and social development of children under present circumstances.

5.The Federal Republic of Yugoslavia deems it necessary to bring to the attention of the General Assembly the fact that, despite the enormous efforts of the competent authorities and individuals, the most basic right of the child - the right to life, survival and development - has been threatened by the implementation of the sanctions. That is why the children in the Federal Republic of Yugoslavia, including the refugee children, are and will continue to be in a disadvantaged position compared to the children from other signatory countries.

6.The consequences of the United Nations sanctions adversely affect the health of the population, especially children and expectant mothers as well as women, as the most vulnerable groups. The statistical facts already indicate that the well-being of children is threatened from the moment of their birth. Long-time exposure to stress and the ensuing failure of immunological defence mechanisms has caused large-scale illnesses. Psychological pressure, tension, the feeling of hopelessness and disorientation seriously impaired the emotional stability of children. Inadequate nutrition, in terms of quality and quantity, combined with the lack of cleansing agents threaten the health of children.

7.It is too early to anticipate fully the adverse effects of the present sanctions on the health of children. However, some statistical and research data already indicate drastic and lasting effects of the sanctions on the health of children and women.

8.Compared to the previous period, the percentage of newborn babies who did not receive adequate professional assistance is on the increase. In the 1991-1992 period, the following anomalies have been in evidence: diseases affecting the foetus have increased by 137 per cent; slow growth of the foetus increased by 78.8 per cent; prenatal disorders by 24.8 per cent and complications at childbirth by 14 per cent. All of the above are a result of unsatisfactory standards of living and inadequate health care.

9.According to the latest data, the infant mortality rate has increased owing to intestinal infections and diseases, respiratory ailments, congenital disorders in the prenatal period, etc.

10.The increase in morbidity stems from the increased number of contagious diseases, tuberculosis and behavioural disorders. In addition, the incidence of dis-

eases in children such as diarrhoea, contagious diseases, anaemia and rheumatic fever is on the rise.

11.The results of a recent study indicated an increase in the number of carditis cases and severe forms of this ailment. Streptococcal infections are on the rise. The epidemics of contagious diseases multiplied. Sometimes, the number of the affected and dead has quadrupled compared to the pre-sanctions period.

12.The number of deaths from measles has increased. Although there is an efficient vaccine against this and other contagious diseases, the protection chain was broken, causing the disease to spread, assuming epidemic proportions. Likewise, although tubercular meningitis has been known to occur in this region, in 1992 and 1993 the most malignant forms appeared with a high mortality rate or else grave impairments.

13.The following are some of the indicators that testify to the drastic deterioration in the health of the population in the Federal Republic of Yugoslavia, children in particular, in the wake of the sanctions. The number of contagious diseases affecting children in the first months of 1993 was seven times greater than in 1991. In the first three months of 1993, the number of registered cases of death was three times greater than in the same period of 1992. The number of registered epidemics in 1992 was 32.4 per cent greater than in 1991.

14.Also, the situation with regard to immunization became much more difficult after the introduction of the sanctions. As a result of shortages, a considerable number of children were not covered by vaccines.

15.The quality of health care has been seriously jeopardized even in the most prestigious health institutions. That is reflected in the incomplete implementation of the diagnostic procedure, growth of inaccurate diagnoses, smaller number of laboratory tests, growth of hospital morbidity. It is practically impossible to carry out complex surgery with domestic supplies. The lack of equipment, medical supplies and anaesthetics makes it very difficult to perform surgery on children.

16.Medical check-ups for pre-school and schoolchildren in out-patient clinics and regular visits to doctors in 1992 have also been on the decline compared to the previous period.

17.The overriding cause for the above health-related problems is the inability to provide medical supplies and equipment for health-care institutions. Although the import of medications, pharmaceutical precursors, sanitary materials and medical equipment is not banned by the United Nations sanctions, in practice, however, various obstacles stand in the ways, e.g. time-consuming procedures for obtaining approvals of the Security Council Sanctions Committee or deliberate delay of humanitarian goods by some countries although the shipment has been duly authorized by the Committee, etc.

18.Enormous efforts were made to prevent, ease, overcome and alleviate all of the above problems in health care through severe cutbacks, but to no avail. In an attempt to illustrate the seriousness of the situation, the Federal Republic of Yugoslavia has repeatedly provided compelling evidence and data to this effect to the international organizations.

19. A difficult economic situation aggravated by the Security Council sanctions is the main reason that the right of children to an adequate standard of living and to the fulfilment of basic needs are threatened. Despite efforts and measures taken by the Government, the functioning of the social welfare system, including child care, has worsened. For example, in the face of rampant inflation, various forms of assistance (paid maternity leave, financial support for unemployed mothers, free supplies for babies, child-support payments, etc.) have practically lost their value.

20. The situation in the field of education, which used to be free, as well as the standard of students are extremely bleak owing to the lack of necessary funds for school supplies and modernization (computers, television sets, videotape recorders). For example, as a result of the fuel shortage, the schools were compelled to extend winter recess from three to six weeks and children were experiencing difficulties in transportation. The quality of learning took a turn for the worse in the wake of discontinued international cooperation and communications, important in the exchange and promotion of educational concepts.

21. Refugee children, already affected by the war, have been additionally hit by the sanctions. The free education and health-care services that they receive in the Federal Republic of Yugoslavia cannot alleviate the suffering brought upon them in the wake of war destruction, loss of homes and family. Although the Government of the Federal Republic of Yugoslavia is doing its utmost to provide adequate accommodation and living conditions for those children in extremely adverse economic situations, they seem to be more prone to mental disorders, juvenile delinquency, alcohol and drug abuse, prostitution and suicide.

22. Children of all nations and races are the future of mankind, tokens of love, patience and hope, but also quite often the most vulnerable category and most often victims of conflicts and wars waged by their elders.

23. The Government of the Federal Republic of Yugoslavia fully supports the efforts of the General Assembly to have the problems related to children affected by armed conflicts identified so that all available measures can be taken to mitigate their plight. The Government of the Federal Republic of Yugoslavia in principle has no reservations concerning the adoption of an optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, since the solutions offered in the draft optional protocol correspond to the legislation in the Federal Republic of Yugoslavia. However, the Government of the Federal Republic of Yugoslavia considers that the future protocol should primarily include provisions for the strengthening of existing humanitarian standards and for the prevention of various forms of abuse of children in armed conflicts for the purpose of attaining political goals.